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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Argentina, Armenia, Austria, Brazil, China, Colombia*, Costa Rica, Dominican Republic, El Salvador, France, Mexico, Turkey and Uruguay: draft resolution

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development,[1] which it proclaimed at its forty-first session,

Noting that 4 December 1996 marks the tenth anniversary of the adoption of the Declaration on the Right to Development, which represents a landmark and a meaningful instrument for countries and people worldwide,

Reaffirming the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992, 48/130 of 20 December 1993, 49/183 of 23 December 1994 and 50/184 of 22 December 1995 and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1996/15 of 11 April 1996,

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* On behalf of the Movement of Non-Aligned Countries.

[1] Resolution 41/128, annex.

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right,[2]

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[3]

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Noting the need for coordination and cooperation throughout the United Nations system for a more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights of the Secretariat have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[4] which reaffirms the right to development as a universal and inalienable right and an integral part of all fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration and Programme of Action examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Noting that aspects of the Programme of Action of the International Conference on Population and Development, adopted by the Conference on

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[2] E/CN.4/1990/9/Rev.1.

[3] See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1) (United Nations publication, Sales No. 93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex I.

[4] A/CONF.157/24 (Part I), chap. III.

13 September 1994,[5] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995,[6] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[7] and the United Nations Conference on Human Settlements (Habitat II), held at Istanbul from 3 to 14 June 1996, are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

Expressing concern that there still exist obstacles to the realization of the right to development, both at the national and international levels, ten years after the adoption of the Declaration on the Right to Development,

Noting that the first session of the Intergovernmental Group of Experts established by the Commission on Human Rights to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, was held at Geneva from 4 to 15 November 1996,

Having considered the report of the Secretary-General on the right to development prepared pursuant to General Assembly resolution 50/184,[8]

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights;

2. Urges States to pursue the promotion and protection of economic, social, cultural, civil and political rights and the implementation of comprehensive development programmes, integrating these rights into development activities;

3. Takes note of the report of the Secretary-General on the right to development;

4. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

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[5] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution I, annex.

[6] A/CONF.166/9, chap. I, resolution 1, annexes I and II.

[7] A/CONF.177/20, chap. I, resolution 1, annexes I and II.

[8] A/51/539.

5. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-third session a report on the implementation of Commission resolution 1996/15;

6. Reiterates that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level;

7. Calls upon the Commission on Human Rights to consider carefully the report of the first session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, bearing in mind the conclusions of the Working Group on the Right to Development, established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993, and the conclusions of the World Conference on Human Rights and of the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Human Settlements (Habitat II);

8. Notes the efforts made by the United Nations High Commissioner for Human Rights within his mandate, and encourages him to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development, including a programmatic follow-up to the establishment in the Centre for Human Rights of the Secretariat of a new branch, the primary responsibilities of which include the promotion of the right to development, as part of the effort to implement the Vienna Declaration and Programme of Action;

9. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

10. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-third session and the General Assembly at its fifty-second session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system on the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

11. Calls upon all Member States to make further concrete efforts at the national and international levels to remove the obstacles to the realization of the right to development;

12. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly through the Economic and Social Council, on the future course of action on the question, in particular on practical measures

for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right, the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

13. Calls upon all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

14. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-second session;

15. Decides to consider this question at its fifty-second session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".